## **REMARKS**

The present response is submitted in reply to the Final Office action issued on April 20, 2010, along with a petition for a one-month extension of time.

Claims 32-54 are pending in this application. Claims 32-44 have been rejected. The Applicant thanks the Examiner for allowing claims 47-54 and for concluding that claims 45 and 46 contain allowable subject matter. By the present response, claims 32-46 have been canceled.

No new matter has been added. Reconsideration is respectfully requested in light of the amendments being made hereby and of the following remarks.

## Rejection of claims 32-39 and 41-43 under 35 U.S.C. 102(b)

Claims 32-39 and 41-43 have been rejected under 35 U.S.C. 102(b) as being anticipated by WO 93/06144 (Gangadharan). Each of these claims has been canceled. Thus, the rejection is rendered moot and withdrawal of the rejection is respectfully requested.

## Rejection of claims 40 and 44 under 35 U.S.C. 103(a)

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gangadharan in view of U.S. Publication No. 2004/0068036 (Halliday). Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gangadharan. Both of these claims have been canceled and so the rejection is rendered moot. Withdrawal of the rejection is respectfully requested.

## Conclusion

For the foregoing reasons, it is believed that the present application, as amended, is in condition for allowance, and such action is earnestly solicited. Based on the

foregoing arguments and the deficiencies of the prior art references, the Applicants strongly urge that the rejections be withdrawn. The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Date: aug 13, 2010

D. Peter Hochberg Co., L.P.A. 1940 E. 6<sup>th</sup> St. – 6<sup>th</sup> Floor Cleveland, OH 44114 Phone - (216) 771-3800 Fax – (216) 771-3804 Respectfully submitted,

D. Peter Hochberg

Reg. No. 24,603